

1 NOT FOR PUBLICATION

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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Adolfo Oros,

10 Petitioner,

11 v.

12 Charles L. Ryan, et al.

13 Respondents.

No. CV-18-00227-PHX-SRB(DMF)

**ORDER**

14 Petitioner filed his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254  
15 on January 22, 2018 raising two grounds for relief: 1) ineffective assistance of counsel; and  
16 2) prosecutorial misconduct. Respondents filed a Limited Answer to Petitioner's Petition for  
17 Writ of Habeas Corpus on June 13, 2018. No reply was filed. On November 16, 2018, the  
18 Magistrate Judge issued her Report and Recommendation recommending that the petition be  
19 denied and dismissed with prejudice.

20 In the Report and Recommendation the Magistrate Judge advised the parties that  
21 they had fourteen days from the date of service of a copy of the Report and Recommendation  
22 within which to file specific written objections with the Court. The time to file such  
23 objections has expired and no objections to the Report and Recommendation have been filed.

24 The Court finds itself in agreement with the Report and Recommendation of the  
25 Magistrate Judge.

26 **IT IS ORDERED** adopting the Report and Recommendation of the Magistrate  
27 Judge as the order of this Court.


28 **IT IS FURTHER ORDERED** denying the Petition for Writ of Habeas Corpus and

1 dismissing it with prejudice.

2 **IT IS FURTHER ORDERED** denying any Certificate of Appealability and leave  
3 to proceed in forma pauperis on appeal because dismissal of the Petition is justified by a  
4 plain procedural bar and reasonable jurist would not find the procedural ruling debatable.

5 **IT IS FURTHER ORDERED** directing the Clerk to enter judgment accordingly.

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7 Dated this 11th day of December, 2018.

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12 Susan R. Bolton  
13 United States District Judge  
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